

BILL ANALYSIS

S.B. 425
By: Nelson
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, consultation between involved parties is recommended but not required when making foster care placement decisions.

S.B. 425 requires that the Department of Family and Protective Services caseworker consult with the child's caseworker, guardian ad litem, attorney ad litem, and any court-appointed volunteer advocate for the child prior to changing a child's placement, except in cases of emergency.

The purpose of S.B. 425 is to decrease the number of times children change placements by ensuring input from more parties.

As proposed, S.B. 425 amends current law relating to foster care placement decisions made by the Department of Family and Protective Services.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 264.107(e), Family Code, as follows:

(e) Requires the Department of Family and Protective Services (DFPS), in making placement decisions, to:

(1) except when making an emergency placement that does not allow time for the required consultations, consult with the child's caseworker, attorney ad litem, and guardian ad litem and with any court-appointed volunteer advocate for the child, rather than consult with the child's caseworker and the child's attorney ad litem, guardian ad litem, or court-appointed volunteer advocate when possible; and

(2) Makes no changes to this subdivision.

SECTION 2. Makes application of this Act prospective.

EFFECTIVE DATE

September 1, 2013.